

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Land Division  
Honolulu, Hawaii 96813

July 8, 2011

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

Consent to hire a consultant to develop a comprehensive public land trust inventory system, pursuant to Act 54, Session Laws of Hawaii 2011 (SLH 2011).

BACKGROUND:

Pursuant to Section 2(b) of Act 54, SLH 2011, the Department of Land and Natural Resources (DLNR) is required to "initiate and coordinate all efforts to establish a public land trust information system. The information system shall consist of a complete and accurate inventory of all lands in the public land trust to which state agencies hold title or over which they maintain management control." Currently each agency is responsible for and maintains its own systems and procedures in the day-to-day management of these public lands. In addition, the current land inventory and management system managed by the Land Division has limited or no information about lands that are not considered "public lands" under HRS 171-2 managed by other agencies (e.g., DHHL, ADC, etc.), or for those agencies that have the power and authority to acquire lands without the review or approval of the Department and Board.

Section 2(d) of Act 54, SLH 2011, calls for DLNR to "conduct an investigation into the most appropriate means of establishing and maintaining the public land trust information system..." DLNR currently manages a Public Land Trust Revenue (PLTR) database system that collects from all state agencies information about receipts generated from ceded lands under their management control. DLNR believes that this existing system can be modified to include underlying parcel information. However, although this system was developed utilizing industry standard platforms and development tools, DLNR does not have the expertise and resources necessary to evaluate and implement the system modifications to incorporate this new functionality.

Consistent with Act 54, SLH 2011, we seek to hire a consultant who will be responsible for reviewing the design and structure of the existing PLTR system, who will work with DLNR to develop and implement an expanded system that includes information about the underlying parcels, and who will develop a user interface that permits state agencies to easily update their parcel data. Furthermore, pursuant to Section 2(d) of Act 54, SLH 2011, the consultant will consider "whether the information system should be established as a geographic information

system" and, if feasible, may develop and implement the expanded system as such.

The consultant will also recommend and implement, where possible, appropriate changes to existing procedures and systems at affected state agencies in order to standardize data collection and storage, and to facilitate data transfers to this central, statewide database system. The consultant will provide documentation and training as well.

Consultant services will be acquired in accordance with the State's procurement policies. Pursuant to Section 4 of Act 54, SLH 2011, funds for this work are included in an appropriation of \$275,00 in FY 2011-2012 from the land conservation fund, established by section 173A-5, Hawaii Revised Statutes, with an additional \$85,000 available in FY 2012-2013.

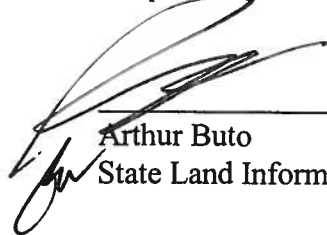
Neither DLNR nor the state's Information and Communication Services Division (ICSD) has the resources to undertake such a project at this time. The Department has considered the potential environmental effects of the proposed actions as provided in HRS Chapter 343 and HAR Chapter 11-200 and attached an exemption notice.

RECOMMENDATION:

That the Board of Land and Natural Resources:

- 1) Consider the potential effects of the proposed disposition as provided in HRS Chapter 343 and HAR Chapter 11-200; and declare this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an Environmental Assessment (even if such determination is not required).
- 2) Authorize the hiring of a consultant for the project indicated and authorize the Chairperson to sign the necessary documents pertaining to the project, subject to Governor's approval.

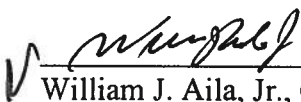
Respectfully Submitted,



Arthur Buto

State Land Information Systems Manager

APPROVED FOR SUBMITTAL:



William J. Aila, Jr., Chairperson



GOV. MSG. NO. **1157**

EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

May 20, 2011

The Honorable Shan Tsutsui, President  
and Members of the Senate  
Twenty-Sixth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

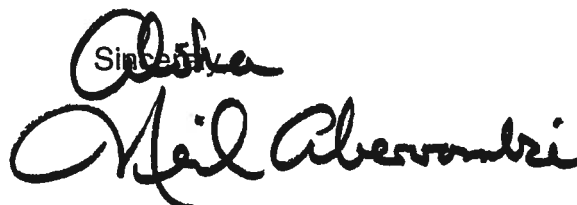
The Honorable Calvin Say, Speaker  
and Members of the House  
Twenty-Sixth State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on May 20, 2011, the following bill was signed into law:

SB2 SD2 HD1 CD1

RELATING TO THE PUBLIC LAND  
**Act 054 (11)**

Sincerely,  


NEIL ABERCROMBIE  
Governor, State of Hawaii

**EXHIBIT "A"**

THE SENATE  
TWENTY-SIXTH LEGISLATURE, 2011  
STATE OF HAWAII

S.B. NO. 2  
S.D. 2  
H.D. 1  
C.D. 1

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## A BILL FOR AN ACT

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RELATING TO THE PUBLIC LAND.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that the department of  
2 land and natural resources has already collected a substantial  
3 amount of information about lands that are in the public land  
4 trust. The focus of this measure is the further study or review  
5 of the trust status of those lands to which state agencies hold  
6 title and the disposition of those lands, to verify the accuracy  
7 of or make amendments to their trust status as indicated in the  
8 department's existing database of public land trust lands.

9       The purpose of this Act is to facilitate the establishment  
10 of a comprehensive information system to inventory and maintain  
11 information about the lands of the public land trust described  
12 in section 5(f) of the Admission Act and article XII, section 4  
13 of the Hawaii State Constitution.

14       SECTION 2. (a) For purposes of this Act:

15       "Ceded lands" means those lands ceded to the United States  
16 by the Republic of Hawaii under the joint resolution of  
17 annexation approved on July 7, 1898.



1 "Department" means the department of land and natural  
2 resources unless the context clearly indicates otherwise.

3 "Public land trust" means that public land trust  
4 established in section 5(f) of the Admission Act.

5 (b) The department shall initiate and coordinate all  
6 efforts to establish a public land trust information system.  
7 The information system shall consist of a complete and accurate  
8 inventory of all lands in the public land trust to which state  
9 agencies hold title or over which they maintain management  
10 control.

11 (c) Beginning July 1, 2011, the department shall identify  
12 all of the lands that are to be included in the public land  
13 trust inventory. After interviewing representatives of each of  
14 the four counties of the city and county of Honolulu, Kauai,  
15 Maui, and Hawaii, and conducting discussions with the office of  
16 Hawaiian affairs, the department of Hawaiian home lands, the  
17 department of transportation, the attorney general, the director  
18 of finance, and other state agencies holding title to public  
19 land trust lands or to which lands of the public land trust have  
20 been set aside, the department shall also determine what other  
21 information would be useful to include in the inventory.



1       At minimum, the department of land and natural resources  
2 shall determine whether the following information relating to  
3 each parcel of land in the operating inventory would be useful:

4       (1) The parcel's location by metes and bounds, tax map key  
5       number, or both;

6       (2) The parcel's size rounded to the nearest acre;

7       (3) The date the parcel was acquired;

8       (4) If conveyed out of the public land trust, the date the  
9       parcel was conveyed;

10       (5) Whether the parcel was acquired by the State pursuant  
11       to section 5(b) or 5(e) of the Admission Act or Public  
12       Law 88-233, or in exchange for a parcel of land  
13       acquired by the State pursuant to those laws;

14       (6) Whether the parcel is a subdivided portion of a larger  
15       parcel acquired by the State pursuant to section 5(b)  
16       or 5(e) of the Admission Act or Public Law 88-233, or  
17       in exchange for a parcel of land acquired by the State  
18       pursuant to those laws;

19       (7) Whether the parcel or any portion of the parcel is  
20       ceded land, and the extent to which the parcel  
21       consists of ceded land;



1           (8) The name of the state or county agency holding title  
2           to the parcel;

3           (9) Whether the parcel has been set aside and the name of  
4           the state or county agency to which the parcel has  
5           been set aside;

6           (10) The parcel's current state land use, state land  
7           classifications pursuant to section 171-10, Hawaii  
8           Revised Statutes, and county zoning designations;

9           (11) A description of all natural resources, including  
10          minerals and water, found on or appurtenant to the  
11          parcel;

12          (12) A description of every easement, covenant, regulatory  
13          condition, or other benefit or servitude to which the  
14          parcel is entitled or subject; and

15          (13) A description of all leases, uses, or other  
16          disposition to which the parcel has been put.

17          (d) The department shall also conduct an investigation  
18          into the most appropriate means of establishing and maintaining  
19          the public land trust information system, including:

20               (1) The type of hardware and software appropriate for  
21               storing and maintaining the information system;



- 1           (2) Whether the information system should be established  
2           as a geographic information system;
- 3           (3) The tasks needing to be performed to complete and  
4           establish the information system;
- 5           (4) The sequence in which the tasks needing to be  
6           performed should be completed;
- 7           (5) Whether and to what extent state and county agencies  
8           holding title to public land trust lands or to which  
9           public land trust lands have been set aside should  
10          continue maintaining separate inventories of the  
11          public land trust lands;
- 12          (6) Whether a single agency should be responsible for  
13          maintaining the public land trust information system;
- 14          (7) To which agency the responsibility should be delegated  
15          if a single agency concept is chosen; and
- 16          (8) The extent to which other agencies should be required  
17          to cooperate and assist in that effort.
- 18          (e) The department shall identify existing sources of  
19          data, information, and resources that can be incorporated into  
20          or used to establish the public land trust inventory and public  
21          land trust information system, including existing inventories of  
22          the ceded lands and the public land trust lands established or





1 maintained by the federal government, the office of Hawaiian  
2 affairs, the department of Hawaiian home lands, the University  
3 of Hawaii, the department of transportation, the Hawaii housing  
4 finance and development corporation, other state agencies, the  
5 counties, or private entities.

6 (f) The department shall:

7 (1) Estimate the total cost of establishing the public  
8 land trust information system;

9 (2) Identify possible sources of funding to defray that  
10 cost; and

11 (3) Identify the factors to be considered in prioritizing  
12 the expenditures to be made in each fiscal year,  
13 if an incremental or phased implementation process is used to  
14 complete the system.

15 (g) All state and county agencies shall assist the  
16 department in facilitating the establishment of the public land  
17 trust information system and shall comply with any and all  
18 requests the department of land and natural resources may make  
19 for any information and services pertinent to the completion of  
20 the information system.

21 (h) All state agencies shall report to the department of  
22 land and natural resources:



1 (1) By August 1, 2011, each parcel of land, or part of a  
2 parcel of land, to which the reporting agency holds  
3 title or that has been set aside to the reporting  
4 agency, regardless of whether the land is within the  
5 public land trust, is ceded land, or both;

6 (2) By August 1, 2011, on the disposition or transfer of  
7 any parcel of land, or part of a parcel of land, to  
8 which the agency holds title, and provide documents  
9 pertinent to that disposition or transfer; and

10 (3) By January 1, 2012, any inaccuracy discovered in the  
11 information provided to the department pursuant to  
12 paragraph (1) or (2) and include:

13 (A) A description of how the inaccuracy will be  
14 corrected; and

15 (B) Copies of all documents related to the correction  
16 of those inaccuracies.

17 SECTION 3. (a) The department of land and natural  
18 resources shall submit a progress report to the legislature no  
19 later than twenty days prior to the convening of the regular  
20 sessions of 2012 and 2013. The progress report shall:



1 (1) Indicate what is necessary to complete the public land  
2 trust inventory and the public land trust information  
3 system; and

4 (2) Include any proposed legislation that the department  
5 deems necessary to facilitate the expeditious  
6 completion and support of the inventory and  
7 information system.

8 (b) The inventory and information system shall be  
9 completed and operational by December 31, 2013, unless the  
10 department advises the legislature otherwise in a progress  
11 report.

12 SECTION 4. There is appropriated out of the land  
13 conservation fund, established by section 173A-5, Hawaii Revised  
14 Statutes, the sum of \$275,000 or so much thereof as may be  
15 necessary for fiscal year 2011-2012 and \$85,000 or so much  
16 thereof as may be necessary for fiscal year 2012-2013 for the  
17 establishment and maintenance of a computerized, comprehensive  
18 statewide public land trust inventory database and funding for  
19 one staff position for a database and application developer.

20 The sums appropriated shall be expended by the department  
21 of land and natural resources for the purposes of this Act.

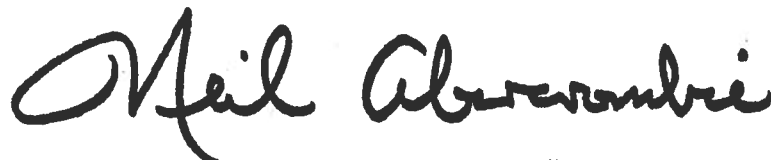
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S.B. NO. 2  
S.D. 2  
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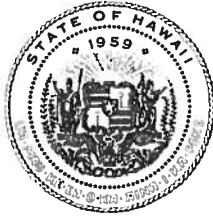
1 SECTION 5. This Act shall take effect on July 1, 2011.

APPROVED this 20 day of MAY, 2011



GOVERNOR OF THE STATE OF HAWAII

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

July 8, 2011

**WILLIAM J. AILA, JR.**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**GUY H. KAULUKUKUI**  
FIRST DEPUTY

**WILLIAM M. TAM**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

**EXEMPTION NOTIFICATION**

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

**Project Title:** Consent to hire a consultant to develop a comprehensive public land trust inventory system, pursuant to Act 54, Session Laws of Hawaii 2011 (SLH 2011).

**Project Location:** Statewide

**Project Description:** This Board Submittal requests approval to authorize the hiring of a consultant for the project indicated and authorize the Chairperson to sign the necessary documents pertaining to the project, subject to Governor's approval.

**Chap. 343 Trigger(s):** Use of State funds

**Exemption Class No.:** In accordance with Hawai'i Administrative Rules, Section 11-200-8(A), the subject project is considered to be exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 10 that states: "Continuing administrative activities such as purchasing supplies".

This exemption is appropriate as the purpose of the proposed project is to purchase equipment that would greater facilitate the Department carrying out a core administrative function: creating a comprehensive inventory of public lands.

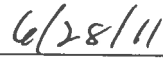
Furthermore, the equipment purchased will likely be of a standard commercial type used by many other businesses and organizations and thus not result in any notable impact.

**Consulted Parties:** ICSD was consulted as a source authority having jurisdiction or expertise in this matter, and concurs that the exemption identified above is applicable to and appropriate for the proposed project.

**Recommendation:** The board is recommended to find that it is anticipated this project will probably have minimal or no significant effect on the

environment and is presumed to be exempt from the preparation of an environmental assessment.

  
\_\_\_\_\_  
WILLIAM J. AILA, JR., Chairperson

  
\_\_\_\_\_  
Date